

REMARKS

Applicants respectfully request the Examiner to reconsider the present application in view of the foregoing amendments to the claims and the following remarks.

Status of the Claims

After entry of the instant Amendment, claims 1-4, 17-19 and 21-35 are pending in the present application. The Office Action is non-final. Claims 1-4, 17, 19 and 21-23 have been withdrawn. Claims 5-16 and 20 have been cancelled, and claim 18 has been amended without prejudice to or disclaimer of the subject matter contained therein. New claims 24-36 have been added. Support for the amendment of claim 18 and new claims 24-36 may at least be found at pages 12 to 13, at paragraph [0031]; page 13, paragraphs [0033], [0036] and [0037]; page 14, paragraphs [0038]-[0041]; page 14 to page 15, paragraphs [0043] and [0046]; page 16, paragraphs [0050] and [0051]; page 17, paragraphs [0052] and [0053]; page 18, paragraphs [0055] and [0057]; page 20, paragraphs [0062]-[0064]; page 21, paragraph [0065]; pages 21 to 22, paragraph [0067]; page 68 to page 72, paragraphs [0241]-[0253]; and the Examples. No new matter has been added by way of the amendments.

Based upon the above considerations, entry of the present Amendment is respectfully requested.

Claim Objection/Issue Under 35 U.S.C. § 112, second paragraph

Claim 18 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. It is stated in the Office Action that claim 18 is indefinite, because it depends from a Markush group in non-elected claim 2, which has unclear language. Claim 18 is also objected to as being dependent on non-elected claim 2. Applicants have amended claim 18, so that it no longer depends from non-elected claim 2 and eliminated Markush-type language, thereby obviating its rejection under 35 U.S.C. § 112, second paragraph. Applicants respectfully request that the rejection of claim 18 as being indefinite be withdrawn.

Issue Under 35 U.S.C. § 102(b)

Claim 18 is rejected under 35 U.S.C. § 102(b) as being anticipated by Bordia *et al.*, "Comparative effect of vitamin C, amla juice and amla pulp on blood lipids, platelet aggregation and experimental atheroma in rabbits," Indian Heart J., 1985, Vol. 37, No. 3, pages 179-82 (hereinafter "Bordia"). Bordia does not teach "administering a composition comprising an extract of dried amla fruit to a patient" to inhibit fibrin formation, as in the claimed invention. Thus, Bordia cannot anticipate the claimed invention, and Applicants respectfully request that the rejection of claim 18 as being anticipated by Bordia be withdrawn.

CONCLUSION


In view of the above amendment, applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Stephanie A. Wardwell Reg. No. 48,025 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: December 9, 2009

Respectfully submitted,

By 

Craig A. McRobbie
Registration No.: 42,874
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant